

I. Status of the Claims

Claims 34, 115 and 116 are pending and are objected to. Claims 1-33 and 35-114 have previously been canceled. Claim 34 is amended herewith. No new matter has been added.

II. Amendments

The term “anti-fouling” in the preamble of claim 34 has been amended to recite “anti-biofouling.” Support for this amendment can be found in the description of anti-fouling agents found throughout the specification. For example, the specification states that anti-fouling agents include: “1) Agents that kill fouling organisms; 2) Agents that dissolve or solubilize the extracellular polymers involved in adhesion; and 3) Agents that mask the ability of fouling organisms to attach to surfaces.” *Specification* at p. 1, ll. 26-30. Anti-fouling agents are also known as “biocides.” *Id.* at p. 1, l. 31-p.2, l. 10. Additionally, the specification describes “biofouling organisms” as organisms that contribute to biofouling. *Id.* at p. 10, lines 10-21. The specification also defines “biofilm resistant” or “antifouling” interchangeably, i.e., both terms refer to “inhibition of attachment and/or growth of a biofouling organism.” *Id.* at p. 10, ll. 22-23. For at least these reasons, Applicants submit that the term “anti-biofouling” is supported by the specification. Entry of this amendment is respectfully requested.

III. Remarks

Applicants gratefully acknowledge the Examiner’s indication that the present application is in condition for allowance except for formal matters. Specifically, the Examiner objects to claims 34, 115 and 116 because the preamble of the claim 34 refers to “fouling,” while the body of the claim refers to “biofouling.” *Office Action* at p. 2. Based on this, the Examiner asserts that “[i]t appears that there is an inconsistency in scope.” *Id.* The Examiner notes the definition of

“biofouling organisms and “biofoul coating” in the specification. Accordingly, the Examiner suggests amending claim 34 to recite “biofouling” instead of “fouling.”

Applicants believe that the Examiner is referring to the term “anti-fouling” in the preamble of claim 34. Although Applicants disagree that this term represents an inconsistency in scope with the term “biofouling” recited in the body of the claim, Applicants have amended claim 34 as the Examiner suggests. Support for this amendment is described above. Accordingly, withdrawal of the objection and timely allowance of the claims is respectfully requested.

IV. Conclusion

In light of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Reconsideration and timely allowance of the pending claims is respectfully solicited. If a telephone conference would be helpful, the Examiner is invited to call the undersigned at 617-832-1223. Please charge any additional fees required to enter this response, or credit any overpayment, to **Deposit Account No. 06-1448, CEA-003.01**.

Dated: October 30, 2007

Respectfully submitted,

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